

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Stonewall Road, 250' S of
the c/l of Tauton Avenue
(114-A Stonewall Road)
1st Election District
1st Councilmanic District

Allen W. Kleinberg, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-385-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 114-A Stonewall Road, located in the vicinity of Old Frederick Road in Catonsville. The Petition was filed by the owners of the property, Allen W. and Kimberly L. Kleinberg. The Petitioners seek relief from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side setbacks of 6.5 feet and 9 feet in lieu of the required 15 feet and 20 feet, respectively, and side setback sums of 31.5 feet and 34 feet in lieu of the required 37.5 feet and 50 feet, respectively, for a proposed open deck. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning

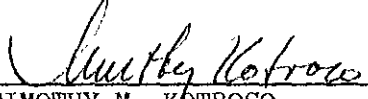
ORDER RECEIVED FOR FILING
Date 4/9/97
By [Signature]

Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of April, 1997 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side setbacks of 6.5 feet and 9 feet in lieu of the required 15 feet and 20 feet, respectively, and side setback sums of 31.5 feet and 34 feet in lieu of the required 37.5 feet and 50 feet, respectively, for a proposed open deck, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/10/97
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

April 9, 1997

Mr. & Mrs. Allen W. Kleinberg
114-A Stonewall Road
Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Stonewall Road, 250' S of the c/l of Tauton Avenue
(114-A Stonewall Road)
1st Election District - 1st Councilmanic District
Allen W. Kleinberg, et ux - Petitioners
Case No. 97-385-A

Dear Mr. & Mrs. Kleinberg:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

✓ File





Petition for Administrative Variance

97-385-A

to the Zoning Commissioner of Baltimore County

for the property located at

114-A Stonewall Road

which is presently zoned

D.R. 1

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1B02.3.C.1. + 361.1A. to permit a side setback of 6.5' and 9' in lieu of 15' and 20' and a side setback sum of 31.5' and 34' in lieu of 37.5' and 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See reverse

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

I/We do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: mk

DATE: 3/12/97

ESTIMATED POSTING DATE:

3/23/97



Printed with Soybean Ink
on Recycled Paper

ITEM #: 385

ORDER RECEIVED FOR FILING
Date 3/19/97
By [Signature]

Affidavit

in support of 97-385-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 114-A Stonewall Road
address
Catonsville MD 21228
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Due to the growth of our family, and the need
to provide adequate, safe and monitorable play and
living space for our small children, we respectfully
request the variance described in this application.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Allen V. Kleinberg
(signature)
Allen V. Kleinberg
(type or print name)



Kimberly Lee Kleinberg
(signature)
Kimberly Lee Kleinberg
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of March, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Allen and Kim Kleinberg

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

3-11-97
date

[Signature]
NOTARY PUBLIC
My Commission Expires:
1-4-2000

97-385-A

ZONING DESCRIPTION FOR 114-A Stonewall Road.

Beginning at a point on the west side of Stonewall Road which is 20 feet wide at the distance of 250 feet south of the centerline of the nearest improved intersecting street Tauton Avenue which is 17 feet wide. Being Lot# 30, Block ____, Section # N.A. in the subdivision of N.A. as recorded in Baltimore County Plat Book #7, Folio # 18, containing 17,300 square feet. Also known as 114-A Stonewall Road and located in the 1st Election District, 1st Councilmanic District.

385

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 42-386-k
026708

DATE 3/12/97 ACCOUNT 01-615

By: mOK
It: 385
AMOUNT \$ 50.00

RECEIVED FROM: Allen Kleinberg - 114-A Stone Hill Rd
FOR: 016- Acc. for \$50.00

01A00#02DOMICHR
BA C010:57AM03-12-97
\$50.00

VALIDATION OR SIGNATURE OF CASHIER
DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case # 97-385-A

Petitioner/Developer:
(Allen Kleinberg)
Date of Hearing/Closing:
(April 7, 1997)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

_____ 114A Stonewall Road Baltimore, Maryland 21228 _____

The sign(s) were posted on _____ March 20, 1997 _____
(Month, Day, Year)

Sincerely,

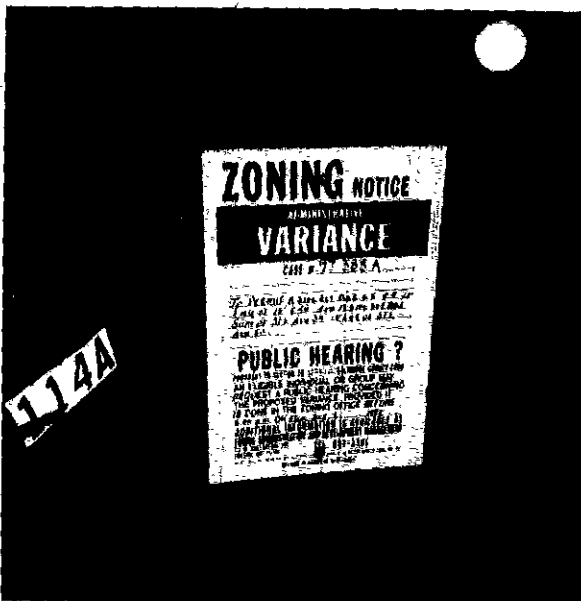

(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____
(Printed Name)

_____ 325 Nicholson Road _____
(Address)

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
(Telephone Number)



97-385-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

17-385-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 385

Petitioner: Allen William Kleinberg

Location: 114-A Stonewall Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Allen William Kleinberg

ADDRESS: 114-A Stonewall Road Catonsville, MD 21228

PHONE NUMBER: 410-744-1772

AJ:ggs

(Revised 09/24/96)

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

Subdivision name: _____

Plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____

see pages 5 & 6 of the CHECKLIST for additional required information



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____
Councilmanic District: _____

1"=200' scale map #: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

SEWER: ☐ public ☐ private
WATER: ☐ yes ☐ no
Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____



North

date: _____
prepared by: _____

Scale of Drawing: 1"= _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3/23/97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-385-A

to permit a side setback 6.5' and 9' in lieu
of 15' and 20' and a side setback sum of 31.5'
and 34' in lieu of 37.5' and 50'

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

**ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391**

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-38-A

March 21, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-385-A
114-A Stonewall Road
W/S Stonewall Road, 250' S of c/l Tauton Avenue
1st Election District - 1st Councilmanic
Legal Owner(s): Allen William Kleinberg and Kimberly Lee Kleinberg
Post by Date: 3/23/97
Closing Date: 4/7/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Allen and Kimberly Kleinberg





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1997

Mr. and Mrs. Allen Kleinberg
114-A Stonewall Road
Catonsville, MD 21228

RE: Item No.: 385
Case No.: 97-385-A
Petitioner: Allen Kleinberg, et ux

Dear Mr. and Mrs. Kleinberg:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 12, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-21-97
Item No. 385 MJK

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 21, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 378, 380, 381, 382, 383, 385, 386, 391, and 392

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Keener

PK/JL

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 31, 1997

FROM: *RWB* Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for March 31, 1997
 Item Nos. 378, 379, 380, 381, 382, 383, 384, (385), 386, 387 & 391

 The Development Plans Review Division has reviewed the subject
zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE331.NOC

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

March 31, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP--1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 24, 1997

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

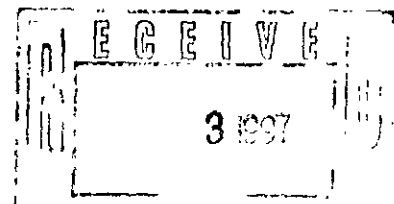
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

380, 381, 383, 384, (385), 386, 387, 388, 389, 390, 391, 392

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 3/25/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 24, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

379

388

381

389

382

390

383

393

385

394

387

RBS:sp

BRUCE2/DEPRM/TXTSBP

PETITION PROBLEMS

97-385-A

#378 --- MJK

1. Sign form is incomplete/incorrect.

#379 --- JLL

1. Sign form is incomplete/incorrect.

#380 --- RT

1. Folder says zoning is D.R.-3.5; petition says zoning is D.R.-5.5 -- Which is correct?

#382 --- CAM

1. Need printed or typed title and authorization of person signing for legal owner.
2. Need printed name and title and authorization of person signing for contract purchaser.
3. No review information on bottom of petition form.

#385 --- MJK

1. Sign form is incomplete/incorrect.
2. No description on folder.
3. No zoning on folder.
4. No acreage on folder.
5. No election district on folder.
6. No councilmanic district on folder.
7. Plan is illegible.

#387 --- MJK

1. Sign form is incomplete/incorrect.

#388 --- JLL

1. Sign form is incomplete/incorrect.
2. No practical difficulty or hardship on petition form.
3. No description on folder.
4. No zoning on folder.
5. No acreage on folder.
6. No election district on folder.
7. No councilmanic district on folder.

#389 --- JLL

1. Sign form is incomplete/incorrect.
2. No practical difficulty or hardship on petition form.

#390 --- MJK

1. Sign form is incomplete/incorrect.
2. No telephone number for legal owner.

#391 --- CAM

1. No review information on bottom of petition form.
2. Area listed on folder - acres, square feet, what?

#392 --- CAM

1. No review information on bottom of petition form.

#394 --- JLL

1. Sign form is incomplete/incorrect.

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 114-A STONEWALL RD.

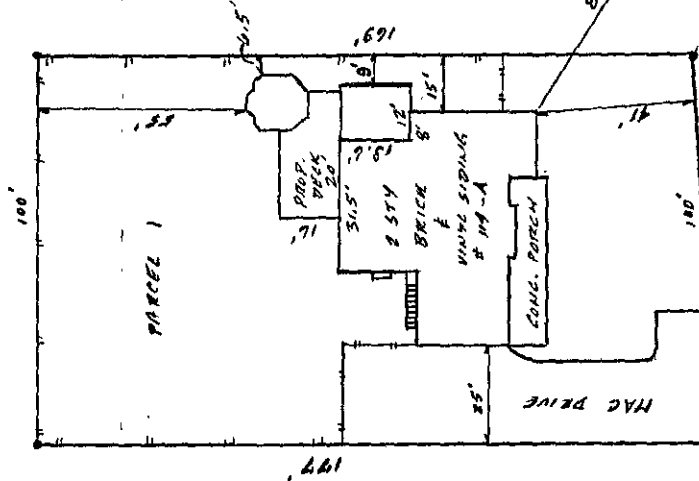
Subdivision name: Stonewall Park (Rec. 6)

plat book # 7, folio # 18, lot # 30, section # 1

OWNER: ALLEN KLEINBERG

91-385-A

woods



Existing Sunning Pool

10.1

LEFT REAR CORNER OF ADJACENT HOUSE

PARCEL 2

RIGHT OF WAY PARCEL 2

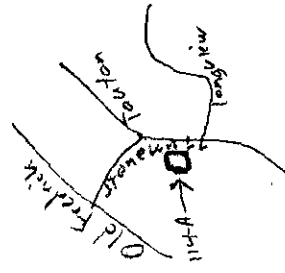
North

date: 3/5/97

prepared by: OWNER

Scale of Drawing: 1" = 50'

STONEWALL ROAD
MACHADAM PARKING



Vicinity Map
Scale: 1" = 2000'

LOCATION INFORMATION

Election District: 1

Councilmanic District: 1

1" = 200' scale map #: SW 3-H

Zonings: DR 1

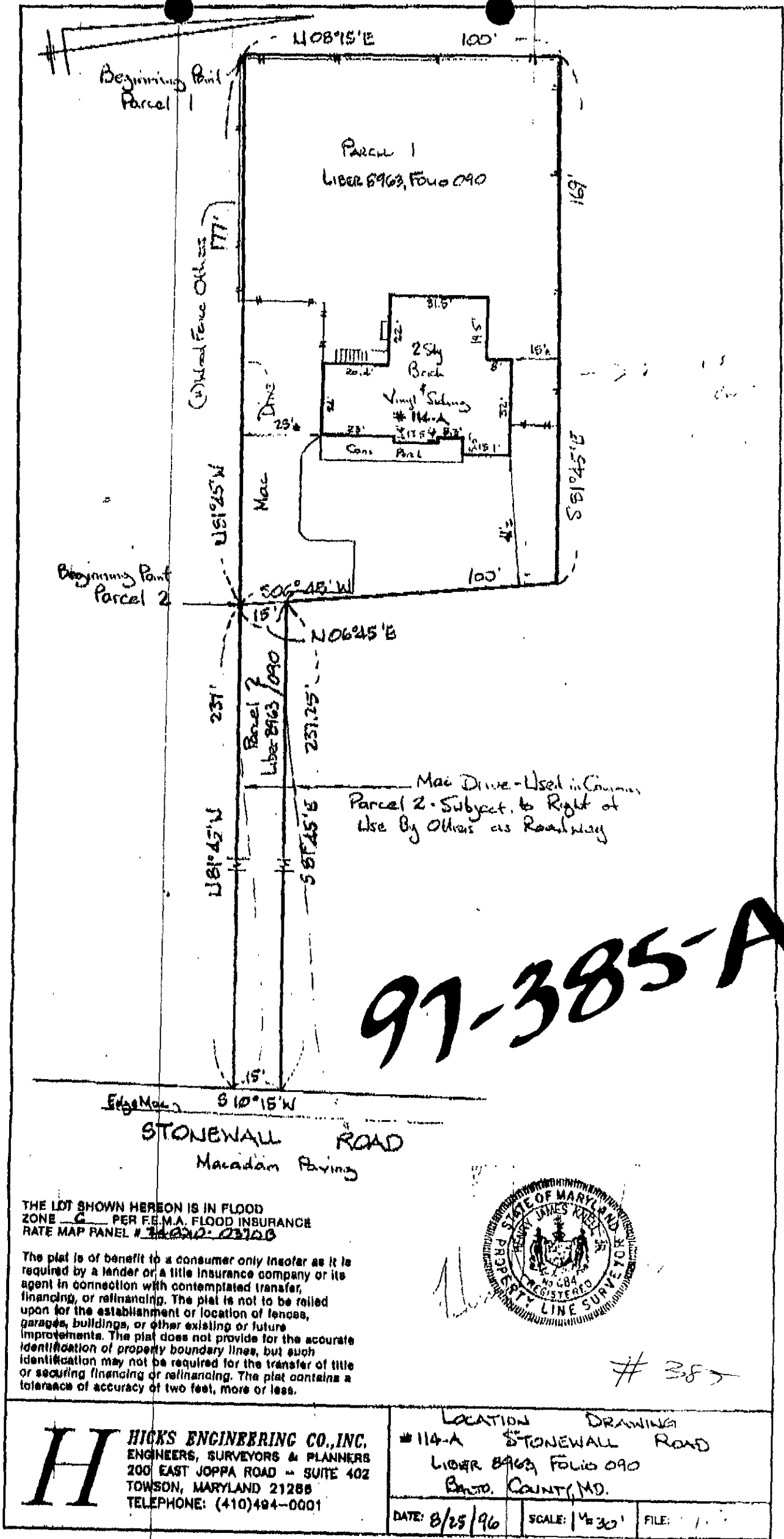
Lot size: 0.5 acreage 17,300 square feet

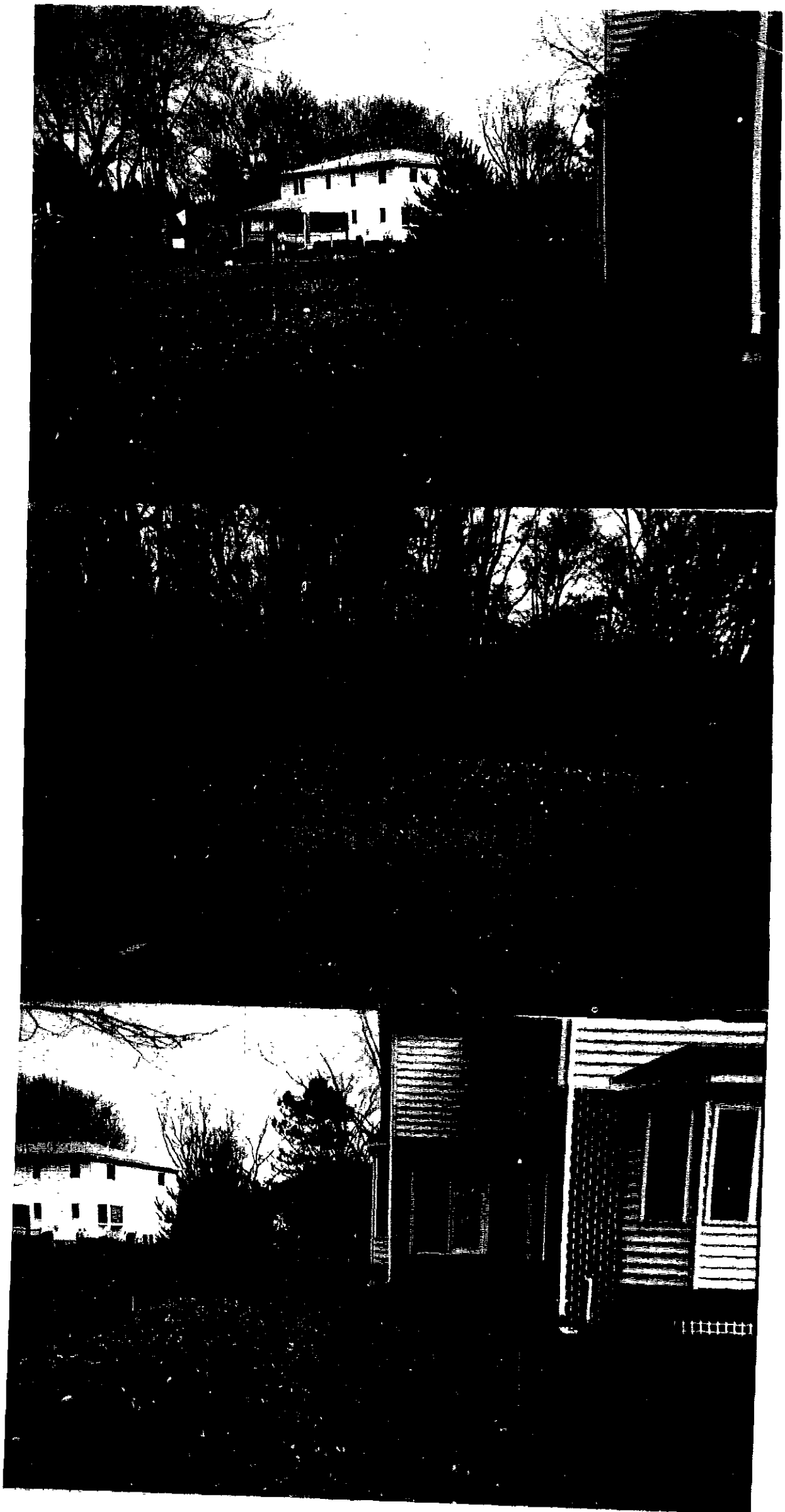
SEWER: ☒ PUBLIC ☐ PRIVATE
WATER: ☒ PUBLIC ☐ PRIVATE
Chesapeake Bay Critical Area: ☒ YES ☐ NO

Prior Zoning Hearings: None

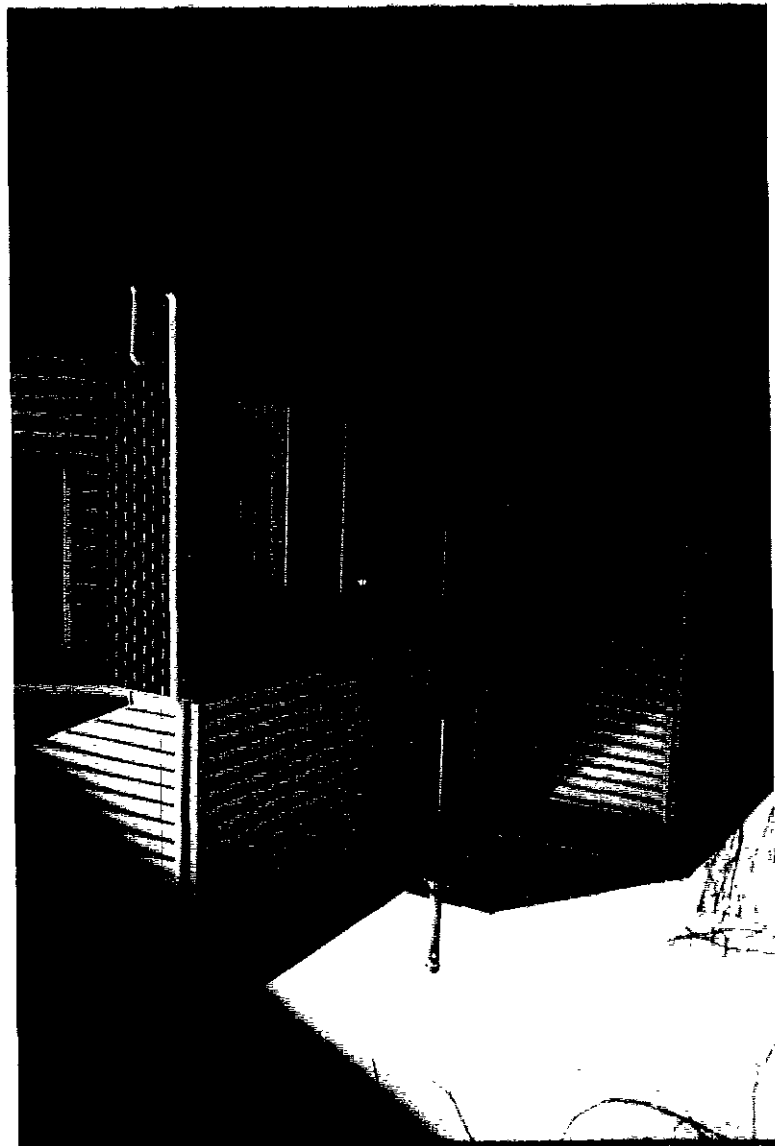
Zoning Office USE ONLY

reviewed by: ML ITEM #: 385 CASE #:

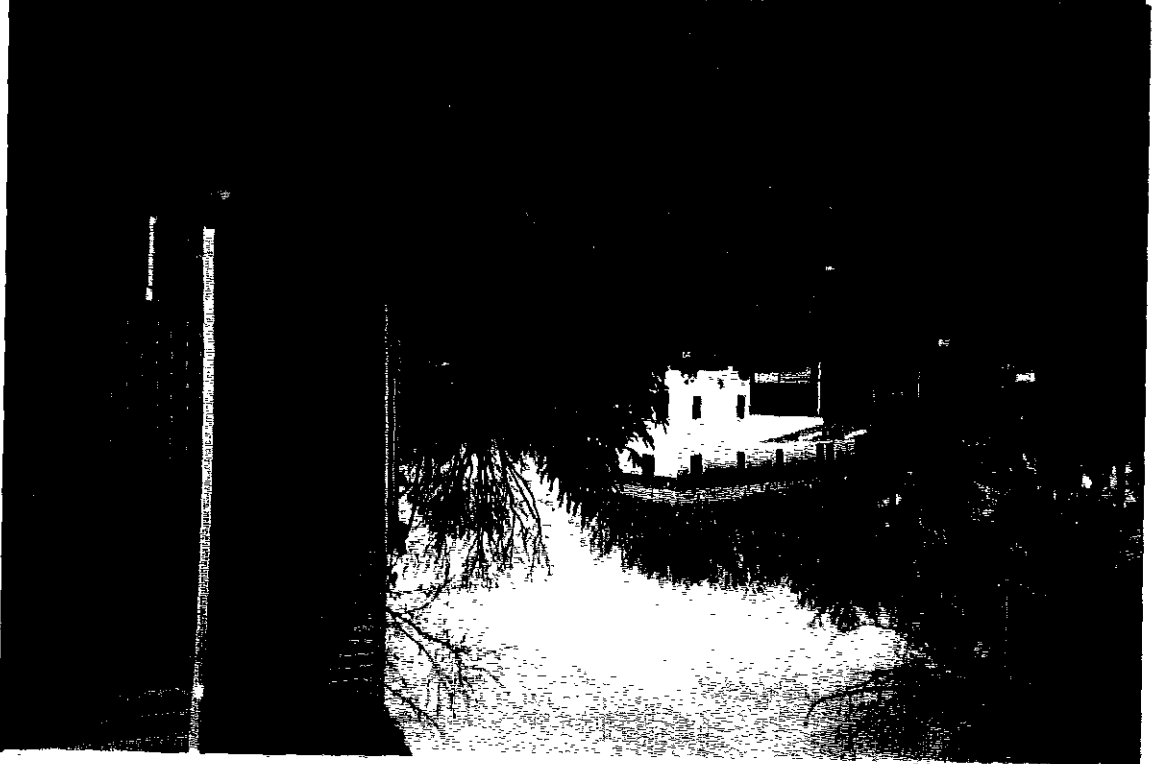




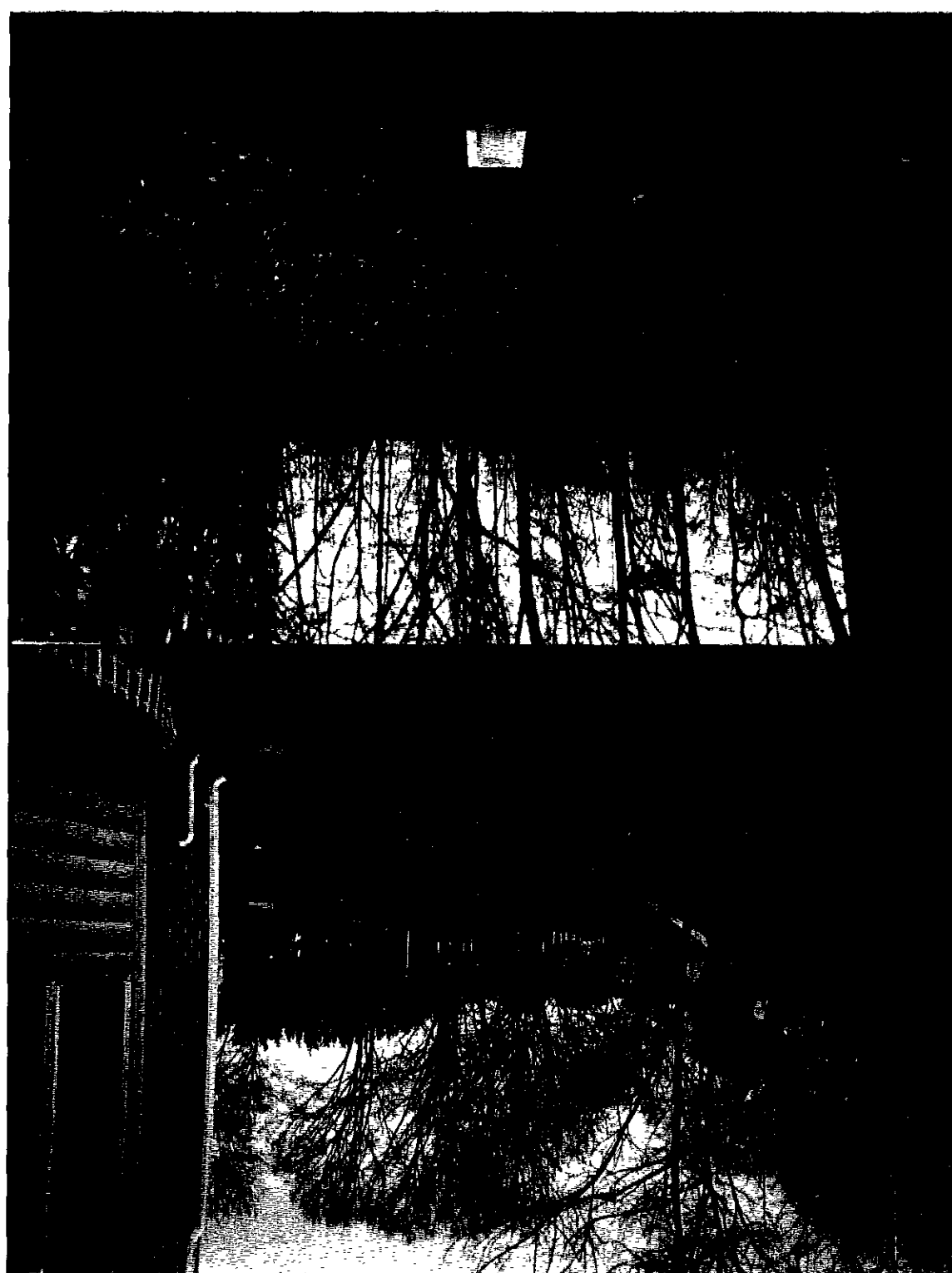












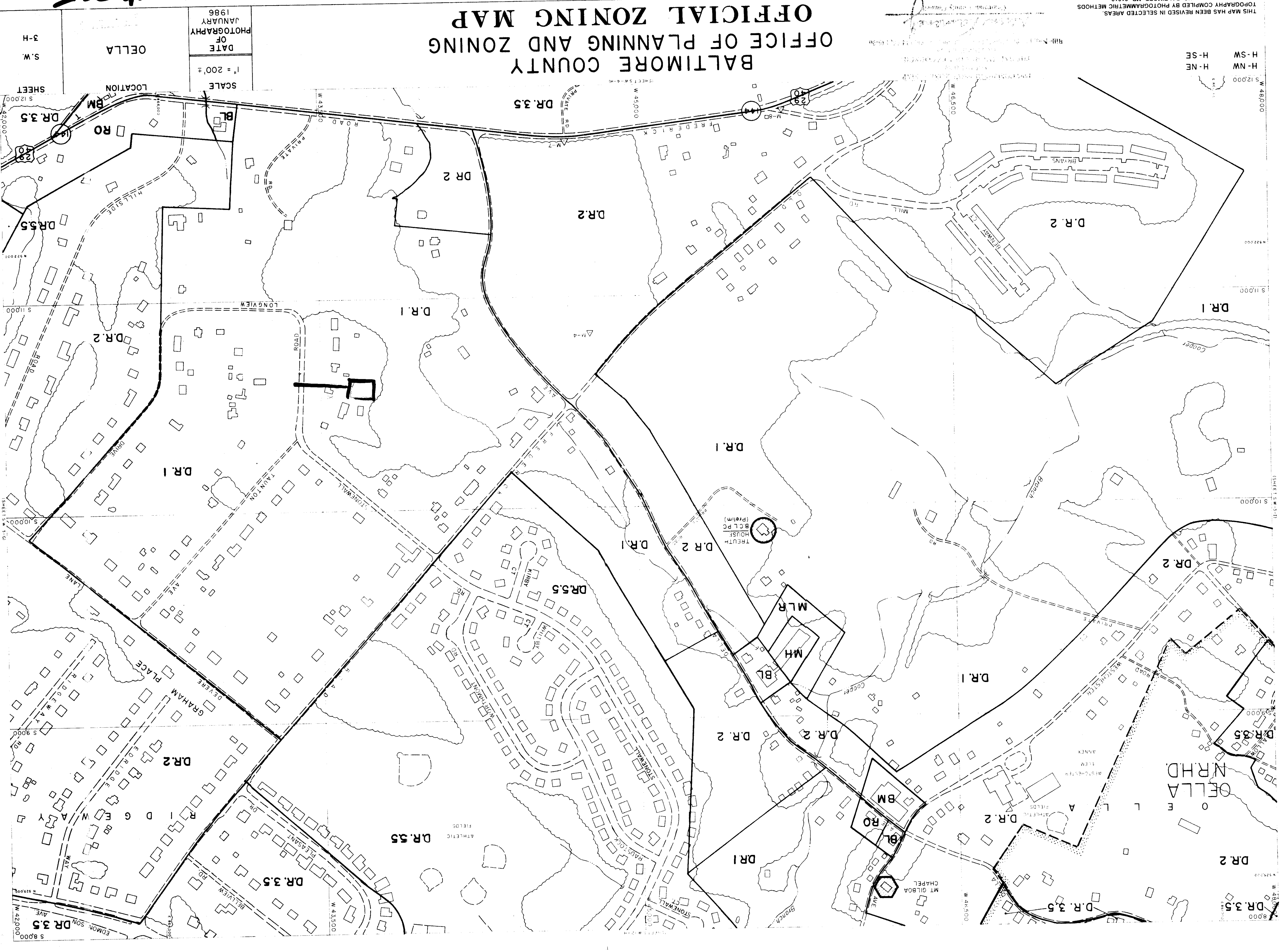


97-385-A
#333

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART HORN, INC. BALTIMORE, MD. 21210

H-NW H-NE
H-SW H-SE



DATE
JANUARY
1986
SCALE
1" = 200'
LOCATION
SHEET
3-H
S.W.



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING #385
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	OELLA	S.W. 3-H
DATE OF PHOTOGRAPHY JANUARY 1986		

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Stonewall Road, 250' S of
the c/l of Tauton Avenue
(114-A Stonewall Road)
1st Election District
1st Councilmanic District
Allen W. Kleinberg, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-385-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 114-A Stonewall Road, located in the vicinity of Old Frederick Road in Catonsville. The Petition was filed by the owners of the property, Allen W. and Kimberly L. Kleinberg. The Petitioners seek relief from Sections 1802.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side setbacks of 6.5 feet and 9 feet in lieu of the required 15 feet and 20 feet, respectively, and side setback sums of 31.5 feet and 34 feet in lieu of the required 37.5 feet and 50 feet, respectively, for a proposed open deck. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning

Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of April, 1997 that the Petition for Administrative Variance seeking relief from Sections 1802.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side setbacks of 6.5 feet and 9 feet in lieu of the required 15 feet and 20 feet, respectively, and side setback sums of 31.5 feet and 34 feet in lieu of the required 37.5 feet and 50 feet, respectively, for a proposed open deck, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/9/97
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

April 9, 1997

Mr. & Mrs. Allen W. Kleinberg
114-A Stonewall Road
Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Stonewall Road, 250' S of the c/l of Tauton Avenue
(114-A Stonewall Road)
1st Election District - 1st Councilmanic District
Allen W. Kleinberg, et ux - Petitioners
Case No. 97-385-A

Dear Mr. & Mrs. Kleinberg:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance 97-385-A to the Zoning Commissioner of Baltimore County

for the property located at 114-A Stonewall Road
which is presently zoned D.R. 1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 + 301.1.A to permit a side setback of 6.5' and 9' in lieu of 15' and 20' and a side setback sum of 31.5' and 34' in lieu of 37.5' and 50'.
114-A Stonewall Road, Catonsville, MD 21228

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode
Name
Address and phone number of representative to be contacted
Name
Address
City State Zipcode
Phone No.

We do solemnly swear and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Allen W. Kleinberg
Kimberly Lee Kleinberg
Kimberly Lee Kleinberg
114-A Stonewall Road
Catonsville, MD 21228
910-744-5203 (w)
910-744-1722 (h)

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of April, 1997, that the subject matter of this petition be set for a public hearing, to be held on the 12th day of April, 1997, at 7:00 PM, at the County Office Building, 111 West Chesapeake Avenue, Baltimore, Maryland 21204, and that the property be required to be advertised.

REVIEWED BY: [Signature] DATE: 3/16/97
ESTIMATED POSTING DATE: 3/12/97
Printed with Soybean Ink
on Recycled Paper
ITEM #: 385

ORDER RECEIVED FOR FILING
Date 4/9/97
By [Signature]

Affidavit in support of 97-385-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify (therein) in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 114-A Stonewall Road

Catonsville, MD 21228

City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (please restate or paraphrase briefly)

Due to the growth of our family, and the need to provide adequate play and living space for our small children, we respectfully request the variance described in this application.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Allen W. Kleinberg
Kimberly Lee Kleinberg
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of April, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Allen W. Kleinberg

the Affiant(s) herein, personally known and satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notary Seal

3-11-97

My Commission Expires: 1-4-2000

Allen W. Kleinberg
Kimberly Lee Kleinberg

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of April, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Allen W. Kleinberg

the Affiant(s) herein, personally known and satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

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Allen W. Kleinberg
Kimberly Lee Kleinberg

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Allen W. Kleinberg

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AS WITNESS my hand and Notary Seal

3-11-97

My Commission Expires: 1-4-2000

Allen W. Kleinberg
Kimberly Lee Kleinberg

97-385-A

ZONING DESCRIPTION FOR 114-A Stonewall Road.

Beginning at a point on the west side of Stonewall Road which is 20 feet wide at the distance of 250 feet south of the centerline of the nearest improved intersecting street Tauton Avenue which is 17 feet wide. Being Lot# 30, Block ____, Section # N.A. in the subdivision of N.A. as recorded in Baltimore County Plat Book #7, Folio # 18, containing 17,300 square feet. Also known as 114-A Stonewall Road and located in the 1st Election District, 1st Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 026708
97-385-A

DATE 3/12/97 ACCOUNT 01-615
AMOUNT \$ 50.00
PAID BY Allen Kleinberg - 114-A Stonewall Rd
C/O - Res. Inc. \$50.00

01A00W020MCHRC \$50.00
BA C010157AM03-12-97
VALIDATION OR REIMBURSEMENT OF CASHIER

CERTIFICATE OF POSTING

RE: Case # 97-385-A

Petitioner/Developer:
(Allen Kleinberg)
Date of Posting/Posting:
(April 7, 1997)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

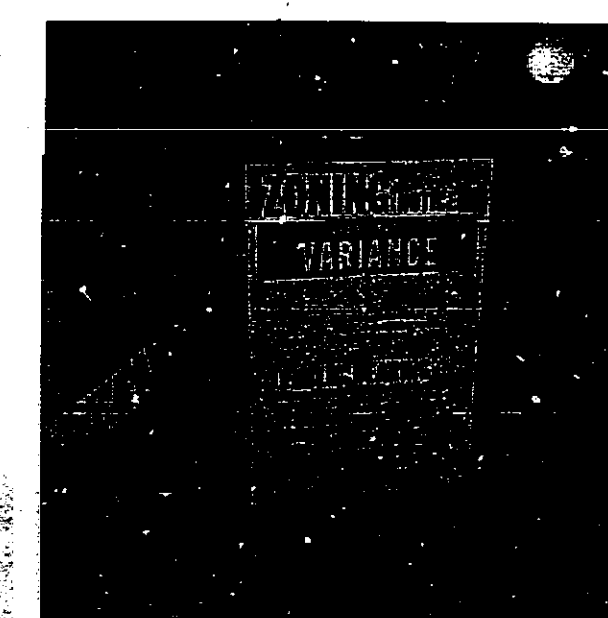
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at
114A Stonewall Road Baltimore, Maryland 21228

The sign(s) were posted on March 28, 1997
(Month, Day, Year)

Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.
(Printed Name)
325 Nicholson Road
(Address)
Baltimore, Maryland 21221
(410) 487-4485
(Telephone Number)



97-385-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-385-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 385

Petitioner: Allen William Kleinberg

Location: 114-A Stonewall Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Allen W. Kleinberg

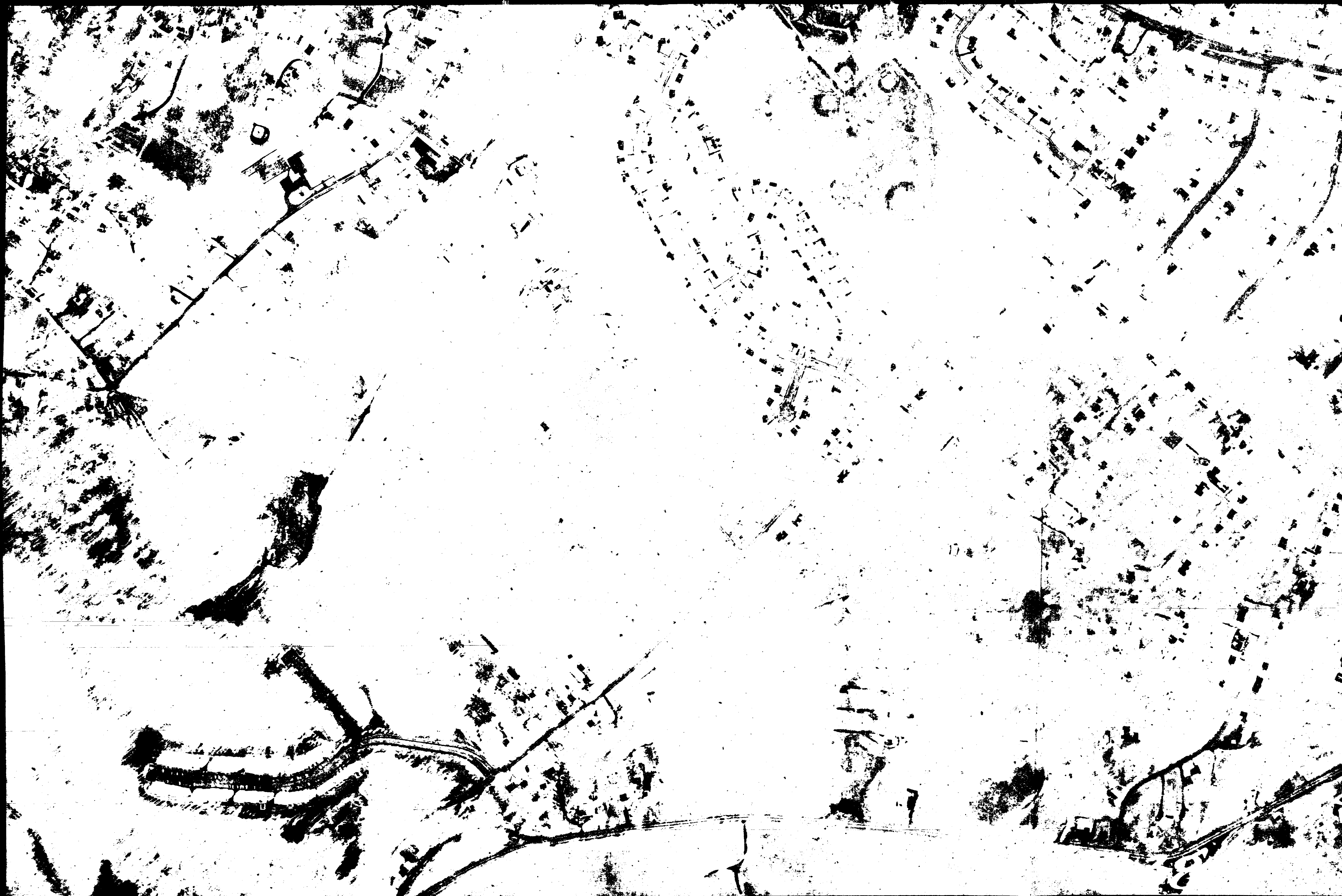
ADDRESS: 114-A Stonewall Road Catonsville, MD 21228

PHONE NUMBER: 410-744-1722

AJ:ggg

(Revised 09/24/96)

Printed with Soybean Ink
on Recycled Paper



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING # 385
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION	SHEET
DATE OF PHOTOGRAPHY JANUARY 1986	OELLA	S.W. 3-H

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3/23/97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No. 47-385-A

to permit a side setback 6.5' and 9' in lieu
of 15' and 20' and a side setback set at 31.5'
and 34' in lieu of 37.5' and 50'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

996
post.doc



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

47-38-A

March 21, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-385-A
114-A Stonewall Road
W/S Stonewall Road, 250' S of O/J Tuxton Avenue
1st Election District - 1st Councilmanic
Legal Owner(s): Allen William Kleinberg and Kimberly Lee Kleinberg
Post by Date: 3/23/97
Closing Date: 4/7/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Jablon

Arnold Jablon
Director

cc: Allen and Kimberly Kleinberg

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1997

Mr. and Mrs. Allen Kleinberg
114-A Stonewall Road
Catonsville, MD 21228

RE: Item No.: 385
Case No.: 97-385-A
Petitioner: Allen Kleinberg, et ux

Dear Mr. and Mrs. Kleinberg:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 12, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-21-97
Item No. 385 MJK

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

R. Burns
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 21, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 378, 380, 381, 382, 383, 386, 391, and 392

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carly L. Korman*

PK/JL

ITEM378/PZOMB/ZAC1

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 31, 1997

FROM: *Robert W. Bowling*, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 31, 1997
Item Nos. 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 & 391

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE331.NOC

Baltimore County Government Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

March 31, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 24, 1997

Item No.: SEE BELOW Zoning Agenda:

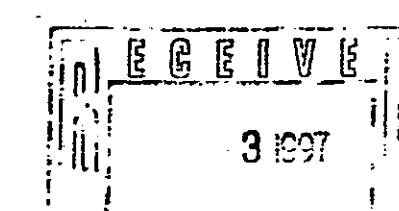
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

380, 381, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 3/25/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 24, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s:	379	388
	381	389
	382	390
	383	393
	385	394
	387	

RBS:sp

BRUCE2/DEPRM/TXTSP

97-385-A

1. Sign form is incomplete/incorrect.

1. Sign form is incomplete/incorrect.

1. Folder says zoning is D.R.-3.5; petition says zoning is D.R.-5.5 -- Which is correct?

382 --- CAM

1. Need printed or typed title and authorization of person signing for legal owner.
2. Need printed name and title and authorization of person signing for contract purchaser.
3. No review information on bottom of petition form.

385 -- MJA

1. Sign form is incomplete/incorrect.
2. No description on folder.
3. No zoning on folder.
4. No acreage on folder.
5. No election district on folder.
6. No councilmanic district on folder.
7. Plan is illegible.

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 114-A STONEWALL RD.

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Stonewall Park (Resale)

plat books 7, follow 18, lots 30, sections

OWNER: ALLEN KLEINBERG

97-385-A

⊕
Vicinity Map
Scale: 1"=300'

LOCATION INFORMATION

Election District: 1

Councilman's District: 1

1"-200' scale map: SW 3-H

Zoning: DR 1

Lot size: 0.5 19,300
 acres square feet

SEWER: ☒

WATER: ☒

Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings:

NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

MJK

385

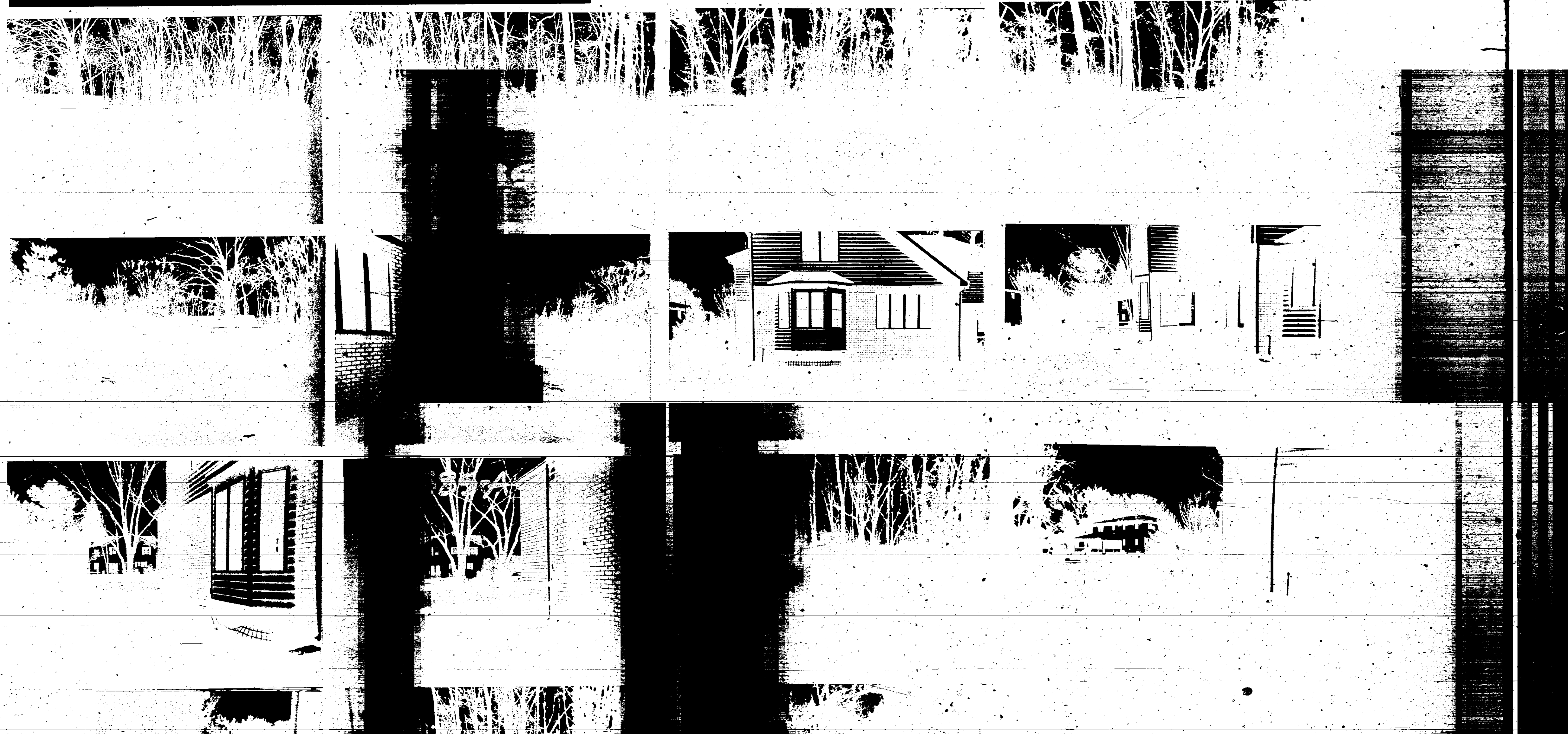
North

date: 3/5/92

prepared by: OWNER

Scale of Drawing: 1"= 50'

STONEWALL PARK
RESIDUAL PARKING



01/09/1994 00:18 418367703 RICA BALTIMORE PAGE 02

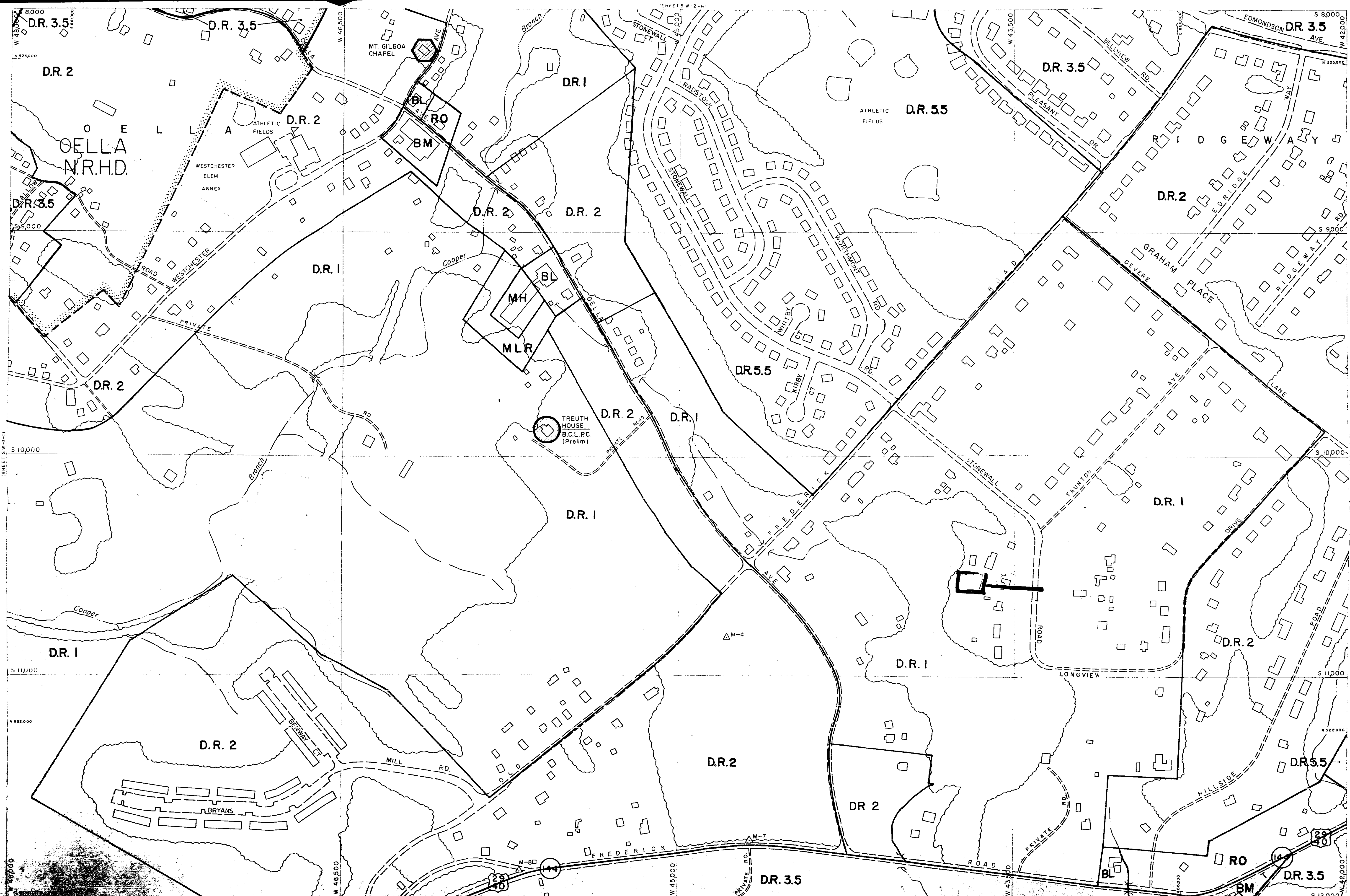
385-A

THE LOT SHOWN HEREON IS IN FLOOD ZONE "A". PER E.P.A. FLOOD INSURANCE RATE MAP PANEL # 1-58002-0220B.

The plat is of benefit to a consumer only insofar as it is required by a lender or title insurance company or its agent in connection with completion of mortgage financing, or refinancing. The plat is not to be relied upon for the establishment of legal location or for other purposes, private, public, or otherwise, nor provide for the accurate identification of property boundaries for the transfer of title or securing financing thereon. The plat contains a statement of accuracy of two feet, more or less.

HICKS ENGINEERING CO., INC.
ENGINEERS & SURVEYORS
301 EAST JOPPA ROAD • SUITE 402
TOWSON, MARYLAND 21204
TELEPHONE: (410) 461-8001

LOCATION: DRAINING ROAD
385-A PENA FILED C40
COUNTY: MD.
DATE: 11/1/93



1996 COMPREHENSIVE ZONING MAP
 ADOPTED BY
 THE BALTIMORE COUNTY COUNCIL
 OCTOBER 8, 1996
 Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

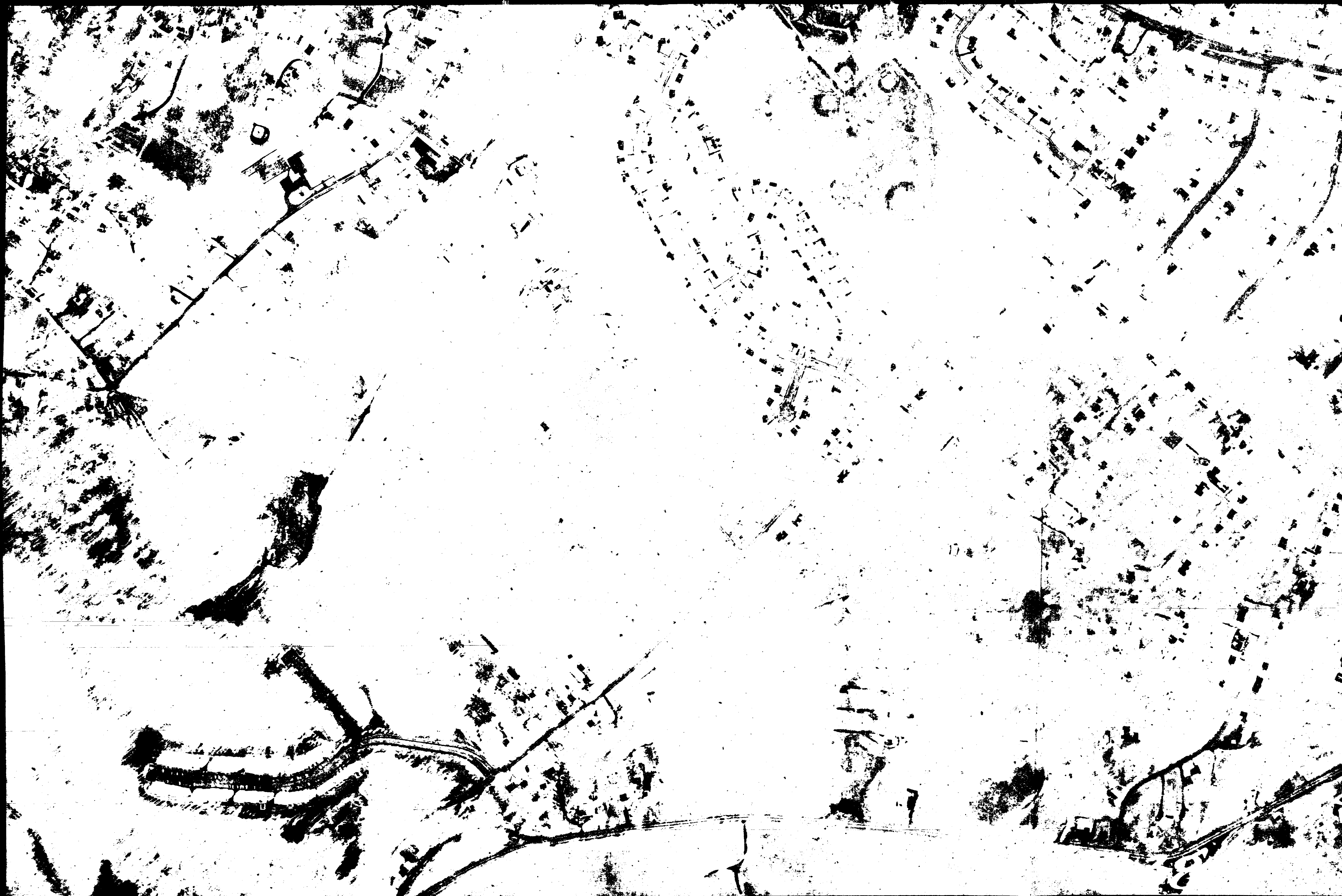
Kevin Kamenev
 Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORNE, INC. BALTIMORE, MD. 21210

SCALE 1" = 200' ±	LOCATION OELLA	SHEET S.W. 3-H
DATE OF PHOTOGRAPHY JANUARY 1986		

355
 97-385-1



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING # 385
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION	SHEET
DATE OF PHOTOGRAPHY JANUARY 1986	OELLA	S.W. 3-H

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Stonewall Road, 250' S of
the c/l of Tauton Avenue
(114-A Stonewall Road)
1st Election District
1st Councilmanic District
Allen W. Kleinberg, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-385-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 114-A Stonewall Road, located in the vicinity of Old Frederick Road in Catonsville. The Petition was filed by the owners of the property, Allen W. and Kimberly L. Kleinberg. The Petitioners seek relief from Sections 1802.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side setbacks of 6.5 feet and 9 feet in lieu of the required 15 feet and 20 feet, respectively, and side setback sums of 31.5 feet and 34 feet in lieu of the required 37.5 feet and 50 feet, respectively, for a proposed open deck. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

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Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of April, 1997 that the Petition for Administrative Variance seeking relief from Sections 1802.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side setbacks of 6.5 feet and 9 feet in lieu of the required 15 feet and 20 feet, respectively, and side setback sums of 31.5 feet and 34 feet in lieu of the required 37.5 feet and 50 feet, respectively, for a proposed open deck, in accordance with Petitioner's Exhibit 1, be and is hereby

GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/9/97
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

April 9, 1997

Mr. & Mrs. Allen W. Kleinberg
114-A Stonewall Road
Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Stonewall Road, 250' S of the c/l of Tauton Avenue
(114-A Stonewall Road)
1st Election District - 1st Councilmanic District
Allen W. Kleinberg, et ux - Petitioners
Case No. 97-385-A

Dear Mr. & Mrs. Kleinberg:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance 97-385-A to the Zoning Commissioner of Baltimore County

for the property located at 114-A Stonewall Road
which is presently zoned D.R. 1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 + 301.1.A to permit a side setback of 6.5' and 9' in lieu of 15' and 20' and a side setback sum of 31.5' and 34' in lieu of 37.5' and 50'.
114-A Stonewall Road, Catonsville, MD 21228

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode
Name
Address and phone number of representative to be contacted
Name
Address
City State Zipcode
Phone No.

We do solemnly swear and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Allen W. Kleinberg
Kimberly Lee Kleinberg
114-A Stonewall Road
Catonsville, MD 21228
910-744-5203 (w)
910-744-1722 (h)

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of April, 1997, that the subject matter of this petition be set for a public hearing, to be held on the 12th day of April, 1997, at 7:00 PM, at the County Office Building, 111 West Chesapeake Avenue, Baltimore, Maryland 21204, and that the property be required.

REVIEWED BY: [Signature] DATE: 3/16/97
ESTIMATED POSTING DATE: 3/12/97
Printed with Soybean Ink
on Recycled Paper
ITEM #: 385

ORDER RECEIVED FOR FILING
Date 4/9/97
By [Signature]

Affidavit in support of 97-385-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify (therein) in the event that a public hearing is scheduled on the future with regard thereto.

That the Affiant(s) does/do presently reside at 114-A Stonewall Road

Catonsville, MD 21228
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (please restate or paraphrase briefly)
Due to the growth of our family and the need to provide adequate space and monitorable play and living space for our small children, we respectfully request the variance described in this application.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Allen W. Kleinberg
Allen W. Kleinberg
Kimberly Lee Kleinberg
Kimberly Lee Kleinberg

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 11th day of April, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Allen W. Kleinberg

the Affiant(s) herein, personally known and satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notary Seal
3-11-97
My Commission Expires: 1-4-2000

Allen W. Kleinberg
Allen W. Kleinberg
Kimberly Lee Kleinberg
Kimberly Lee Kleinberg

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
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3-11-97
My Commission Expires: 1-4-2000

Allen W. Kleinberg
Allen W. Kleinberg
Kimberly Lee Kleinberg
Kimberly Lee Kleinberg

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AS WITNESS my hand and Notary Seal
3-11-97
My Commission Expires: 1-4-2000

Allen W. Kleinberg
Allen W. Kleinberg
Kimberly Lee Kleinberg
Kimberly Lee Kleinberg

97-385-A

ZONING DESCRIPTION FOR 114-A Stonewall Road.

Beginning at a point on the west side of Stonewall Road which is 20 feet wide at the distance of 250 feet south of the centerline of the nearest improved intersecting street Tauton Avenue which is 17 feet wide. Being Lot# 30, Block ____, Section # N.A. in the subdivision of N.A. as recorded in Baltimore County Plat Book #7, Folio # 18, containing 17,300 square feet. Also known as 114-A Stonewall Road and located in the 1st Election District, 1st Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 3/12/97 ACCOUNT 01-615
AMOUNT \$ 50.00
PAID BY Allen Kleinberg - 114-A Stonewall Rd
C/O - Res. Inc. \$50.00

01A00W020MCHRC \$50.00
BA C010157AM03-12-97
VALIDATION OR REIMBURSEMENT OF CASHIER

CERTIFICATE OF POSTING

RE: Case # 97-385-A

Petitioner/Developer:
(Allen Kleinberg)
Date of Posting/Posting:
(April 7, 1997)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at
114A Stonewall Road Baltimore, Maryland 21228

The sign(s) were posted on March 28, 1997
(Month, Day, Year)

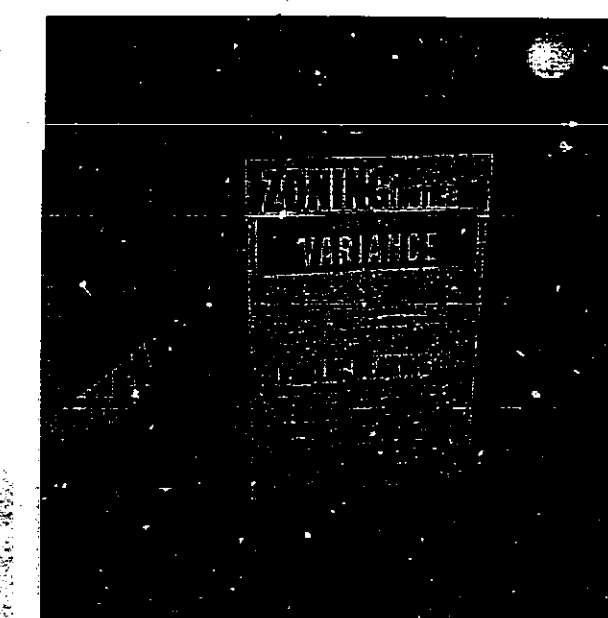
Sincerely,

Thomas P. Ogle, Sr.
Thomas P. Ogle, Sr.
(Printed Name)

325 Nicholson Road
(Address)

Baltimore, Maryland 21221

(410) 487-4485
(Telephone Number)



97-385-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-385-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 385

Petitioner: Allen William Kleinberg

Location: 114-A Stonewall Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Allen W. Kleinberg

ADDRESS: 114-A Stonewall Road Catonsville, MD 21228

PHONE NUMBER: 410-744-1722

AJ:ggg

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on Recycled Paper

(Revised 09/24/96)

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3/23/97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No. 47-385-A

to permit a side setback 6.5' and 9' in lieu
of 15' and 20' and a side setback set at 31.5'
and 34' in lieu of 37.5' and 50'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

996
post.doc



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

47-38-A

March 21, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-385-A
114-A Stonewall Road
W/S Stonewall Road, 250' S of O/J Tuxton Avenue
1st Election District - 1st Councilmanic
Legal Owner(s): Allen William Kleinberg and Kimberly Lee Kleinberg
Post by Date: 3/23/97
Closing Date: 4/7/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Jablon

Arnold Jablon
Director

cc: Allen and Kimberly Kleinberg

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1997

Mr. and Mrs. Allen Kleinberg
114-A Stonewall Road
Catonsville, MD 21228

RE: Item No.: 385
Case No.: 97-385-A
Petitioner: Allen Kleinberg, et ux

Dear Mr. and Mrs. Kleinberg:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 12, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-21-97
Item No. 385 MJK

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

R. Burns
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 21, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 378, 380, 381, 382, 383, 386, 391, and 392

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carly L. Korman*

PK/JL

ITEM378/PZOMB/ZAC1

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 31, 1997

FROM: *Robert W. Bowling*, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 31, 1997
Item Nos. 378, 379, 380, 381, 382, 383, 384, 385, 386, 387 & 391

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE331.NOC

Baltimore County Government Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

March 31, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 24, 1997

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

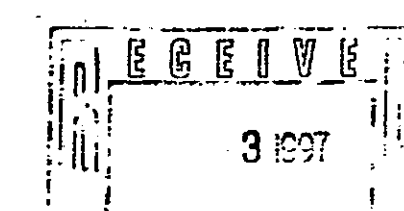
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

380, 381, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 3/25/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 24, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s:	379	388
	381	389
	382	390
	383	393
	385	394
	387	

RBS:sp

BRUCE2/DEPRM/TXTSP

97-385-A

1. Sign form is incomplete/incorrect.

1. Sign form is incomplete/incorrect.

1. Folder says zoning is D.R.-3.5; petition says zoning is D.R.-5.5 -- Which is correct?

1. Need printed or typed title and authorization of person signing for legal owner.
2. Need printed name and title and authorization of person signing for contract purchaser.
3. No review information on bottom of petition form.

1. Sign form is incomplete/incorrect.
2. No description on folder.
3. No zoning on folder.
4. No acreage on folder.
5. No election district on folder.
6. No councilmanic district on folder.
7. Plan is illegible.

Plat to accompany Petition for Zoning ☒ **Variance** ☐ **Special Hearing**

PROPERTY ADDRESS: 118-A STONEWALL RD. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Stonewall Park (Res.)

[plat book] 7, [folio] 18, [page] 30, [section]

OWNER: ALEX KLEINBERG

97-385-A

North
date: 3/5/92
prepared by: AMSTER

Scale of Drawing: 1" = 50'

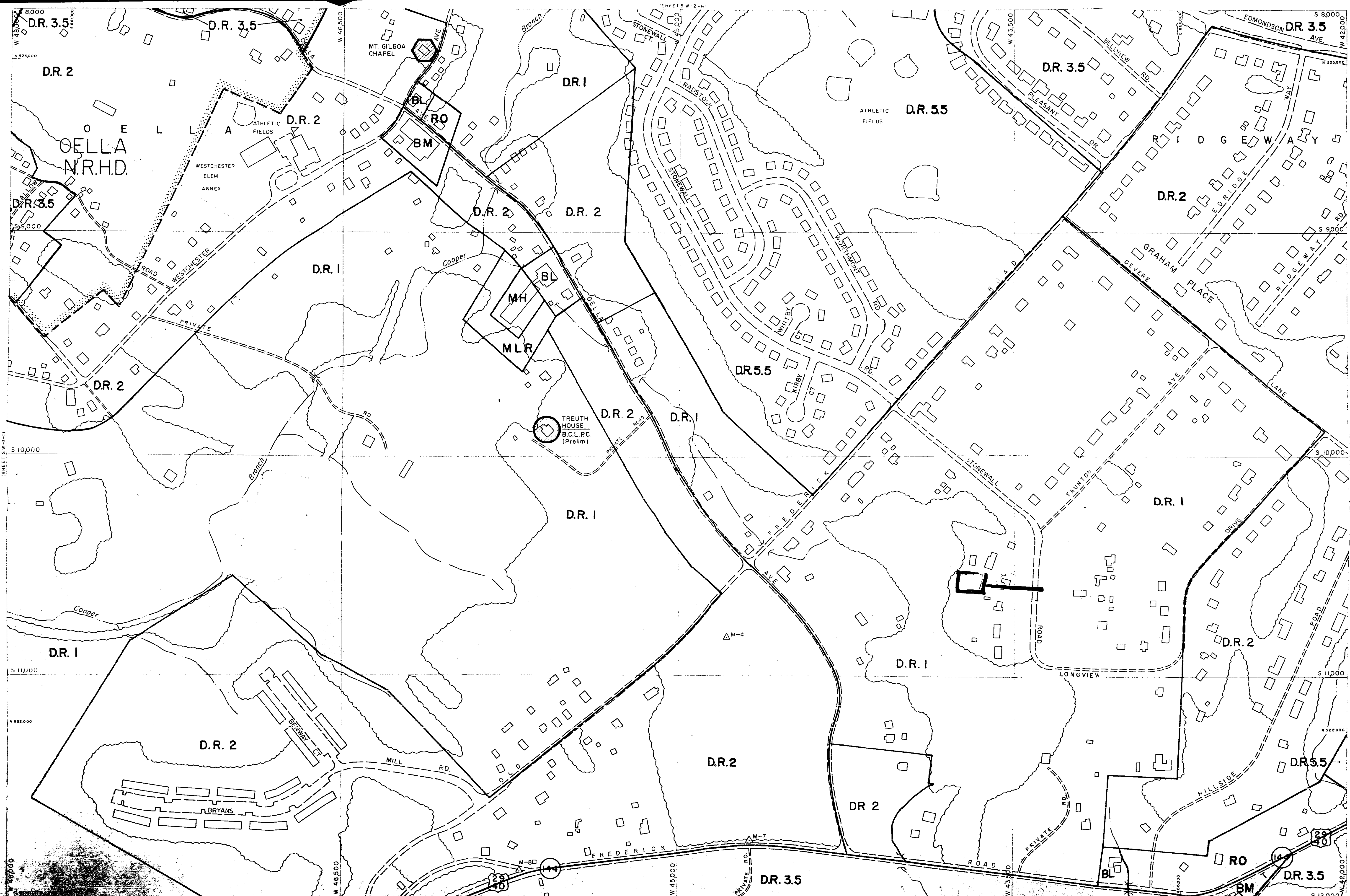
Election District: 1
Councilmanic District: 1
1"-200' scale map: SW 3-H
Zoning: DR 1
Lot size: 0.5 acreage, 17,500 square feet

Sewer: ☒
Water: ☒
Chesapeake Bay Critical Area: ☐ ☒

Zoning Office USE ONLY!
reviewed by: _____ ITEM #: _____ CASE#: _____

72X 385

[illegible]



1996 COMPREHENSIVE ZONING MAP
 ADOPTED BY
 THE BALTIMORE COUNTY COUNCIL
 OCTOBER 8, 1996
 Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
 Kevin Kamenev
 Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200' ±	LOCATION OELLA	SHEET S.W. 3-H
DATE OF PHOTOGRAPHY JANUARY 1986		

97-385-1